

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

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|---------------------------------|---|------------------------------|
| UNITED STATES OF AMERICA |) | |
| |) | |
| V. |) | CR. NO.: 2:07cr44-TFM |
| |) | |
| SHAKIRA DOWELL |) | |

UNOPPOSED MOTION TO CONTINUE TRIAL

COMES NOW the Defendant, Shakira Dowell, by and through undersigned counsel, Jennifer A. Hart, and pursuant to 18 U.S.C. §§ 3161(h)(2) and 3161(h)(8)(B)(I), respectfully moves this Court to continue the trial of this action from the present trial date of September 17, 2007, to allow for consideration of pretrial diversion in this matter. In support of this Motion, defendant would show:

1. Ms. Dowell has been charged by information in this district with theft of government property in violation of 18 U.S.C. § 641.

2. Ms. Dowell has applied for Pretrial Diversion and the Government is currently considering that request. If the Government agrees that diversion is the appropriate disposition of the case, the case will then be presented to the United States Probation Office for its determination of whether or not to accept Ms. Dowell into the program.

3. Because prosecution may be deferred/diverted if pretrial diversion is granted, it is in the interest of justice to continue the trial in this matter so as to allow Ms. Dowell the opportunity to pursue diversion. 18 U.S.C. §§ 3161(h)(2) and 3161(h)(8)(B)(I).

4. The Government, through Special Assistant United States Attorney, Satura McPherson has no opposition to the granting of a continuance

WHEREFORE, defendant respectfully requests that this Motion be granted.

Dated this 27th day of August, 2007.

Respectfully submitted,

s/Jennifer A. Hart

JENNIFER A. HART

FEDERAL DEFENDERS

MIDDLE DISTRICT OF ALABAMA

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CERTIFICATE OF SERVICE

I hereby certify that on August 27, 2007, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Satura McPherson, Esquire
Special Assistant United States Attorney
HQ AU/JA
50 LeMay Plaza South
Maxwell AFB AL 36112-6334

Respectfully submitted,

s/Jennifer A. Hart
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